

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NATIONAL LABOR RELATIONS BOARD)	
)	
Petitioner)	
)	
v.)	No. 16-70294
)	
COMMUNITY SUPPORT NETWORK)	
)	
Respondent)	

MOTION OF THE NATIONAL LABOR RELATIONS BOARD
FOR ENTRY OF DEFAULT JUDGMENT

To the Honorable, the Judges of the United States
Court of Appeals for the Ninth Circuit:

The National Labor Relations Board ("the Board"), by its Deputy Associate General Counsel, moves for entry of default judgment against Community Support Network ("the Company"). Default judgment is appropriate because the Company failed to file an answer to the Board's application for enforcement of its Order that is now before the Court within the time prescribed by Federal Rule of Appellate Procedure 15(b)(2).

1. On January 5, 2016, the Board issued a decision and order against the Company. *See Community Support Network*, 363 NLRB No. 78 (2016).
2. On February 1, 2016, the Board filed an application for enforcement of that decision and order. *See NLRB v. Community Services Network*, No. 16-70294. .

3. Pursuant to Rule 15(b) (2) of the Federal Rules of Appellate Procedure, the Company was required to answer the application for enforcement by February 22, 2016. To date, the Company has not filed an answer.

4. On March 14, 2016, Board counsel contacted Jeffrey E. Beeson, counsel for the Company, who informed the Board that the Company will not be contesting enforcement of the Board's order.

5. Fed. R. App. P. 15(b) (2) entitles the Board to entry of default judgment against a respondent in the event the respondent fails to file an answer within 21 days after the Board files its application for enforcement. Because the Company has not filed a timely answer in this case, the Court should enter a judgment enforcing the Board's order against the Company. A proposed judgment to that effect is attached for the convenience of the Court.

WHEREFORE, the Board respectfully requests that this Court grant its motion for entry of default judgment.

Respectfully submitted,

/s/ Linda Dreeben

Linda Dreeben

Deputy Associate General Counsel

NATIONAL LABOR RELATIONS BOARD

1015 Half Street, SE

Washington, D.C. 20570

(202) 273-2960

Dated at Washington, D. C.
this 14th day of March, 2016

NATIONAL LABOR RELATIONS BOARD

v .

COMMUNITY SUPPORT NETWORK

ORDER

Community Support Network, Santa Rosa, California, its officers, agents, successors, and assigns, shall

1. Cease and desist from
 - (a) Failing and refusing to recognize and bargain with Service Employees International Union Local 1021, as the exclusive collective-bargaining representative of the employees in the bargaining unit.
 - (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative action necessary to effectuate the policies of the Act.
 - (a) On request, bargain with the Union as the exclusive representative of the employees in the following appropriate unit on terms and conditions of employment, and, if an understanding is reached, embody the understanding in a signed agreement:

All full-time and regular part-time residential counselors, relief residential counselors, lead residential counselors, rehabilitation support staff counselors, case managers, clerical staff [except those located in the administration office] and maintenance personnel located at the Agency's facilities in Sonoma County, California.
 - (b) Within 14 days after service by the Region, post at its facilities in Sonoma County, California, copies of the attached notice marked "Appendix." Copies of the notice, on forms provided by the Regional Director for Region 20, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed

electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since December 4, 2014.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 20 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX
NOTICE TO EMPLOYEES
POSTED PURSUANT TO A JUDGMENT OF THE UNITED STATES
COURT OF APPEALS ENFORCING AN ORDER OF THE
NATIONAL LABOR RELATIONS BOARD
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO

Form, join, or assist a union

Choose representatives to bargain with us on your behalf

Act together with other employees for your benefit and protection

Choose not to engage in any of these protected activities.

WE WILL NOT fail and refuse to recognize and bargain with Service Employees International Union Local 1021 as the exclusive collective-bargaining representative of the employees in the bargaining unit.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL, on request, bargain with the Union and put in writing and sign any agreement reached on terms and conditions of employment for our employees in the following bargaining unit:

All full-time and regular part-time residential counselors, relief residential counselors, lead residential counselors, rehabilitation support staff counselors, case managers, clerical staff [except those located in the administration office] and maintenance personnel located at the Agency's facilities in Sonoma County, California.

COMMUNITY SUPPORT NETWORK

The Board's decision can be found at www.nlrb.gov/case/20-CA-143287 or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1099 14th Street, N.W., Washington, D.C. 20570, or by calling (202) 273-1940.



